NO. 06- 1693

IN THE

UNITED STATES SUPREME COURT

MAHABIR & SHELLIELLE NANAN

Petitioners

v.

STATE FARM FIRE & CASUALTY COMPANY

Respondent

ON PETITION FOR WRIT OF CERTIORARI
TO THE GEORGIA COURT OF APPEALS

PETITIONERS SUPPLIMENTAL BRIEF

SHELLIELLE NANAN
for PETITIONERS
445 STATEN STREET
JONESBORO, GA 30238
(770) 210- 1017

JURISDICTION

This supplemental brief is hereby filed by Petitioners, calling this Courts attention to new intervening issues relating to matter currently on certiorari before this court. Jurisdiction is invoked pursuant to Supreme court Rule 15(8).

STATEMENT OF NEW ISSUES

Petitioners filed a petition for a writ of certiorari with this court, docketed in court record as Case # 06-1693. Respondents State Farm filed their opposition to Petitioners petition on or about 07-20-07, introducing new issues which are irrelevant to the matter on appeal. Due to the perplexity and substantial unethical conducts regarding the contents of Respondents written response to this Court, Petitioners has uncovered new issues worthy of this Court's intervention and now exercises their rights under Governing Supreme Court Rule, 15(8), hereby files this supplementary argument before this court requesting the Courts intervention.

Pursuant to Supreme Court Rules 8 and 8(2), at the courts own discretion, this court has the judicial power to enter an order disbarring any member of the Bar of this court whom engages in actions contrary to the rules and laws of this court, or other

dishonest conduct, and affording said member an opportunity to show cause within 40 days, if material issues are in dispute, why disbarment should not be entered, and at the conclusion of such inquiry, apply disbarment and or any disciplinary action or sanctions deemed appropriate.

ARGUMENT OF FACT

The conduct of Respondents attorneys is prohibited by law, they have involved it acts of fraudulent misconduct resulting from their written response to Petitioners Petition for certiorari, filed with this court. The violations are severe and cannot be ignored, as it materially affect the outcome of certiorari pending before this court, and for those essential reasons, Petitioners seek the courts intervention into the matter;

(1) Perjury /False Pleading before this Court.

(2) Misrepresentation of the facts and laws.

(3) Fraud /Mail Fraud by utilizing United States Postal Service to Convey the Fraudulent acts.

(4) Falsely and knowingly submitting and filing unlawful material evidence with this court. (Respondents Appendix 1).

(5) Conspiring with lower court justices to hinder due process of law and other serious violations relating to this issue.

(6) False attempt to obtain relief against Petitions by dishonest practice

(7) Obstruction of justice.

(8) Willful violations of the Code of Judaical Conduct and judicial oath.

(9) Willful infliction of undue hardship and burden upon Petitioner.

(10) Willful Violations of Petitioners Constitutional Rights.

1. FALSE PLEADING PERJURY MISREPRESENTATION OF FACTS AND LAWS AND THE UNLAWFUL SUBMISSION OF FRAUDULENT EVIDENCE

One of the most grievous violations and profound unethical misconduct on the part of Respondents State Farm, is their attorney's involvement in the filings of fraudulent pleading, willful act of perjury, misrepresention, and submission of fraudulent evidence before this court, an act which is stringently prohibited by the doctrine of law, especially , at the

hands of officers of the court. The Respondents entire argument before this court is based on falsity and deception, as a matter of fact, the Respondent attorney's has demonstrated such unlawful practices repeatedly at the lower courts level, and have succeeded. However, because the lower courts upholds such unlawful conduct, Respondents were privileged in displaying those identical deceitful acts before the United States Supreme Court with willful intent to trick, deceive, ultimately obtaining false relief by acts of dishonesty. Thus, as a matter of law, such lawlessness cannot be ignored by this honorable court.

The law defines perjury as, "The act of willful and knowingly stating a material falsehood under oath **or in any affirmation in a judicial** proceeding. Misrepresentation is defined as "falsification of a material fact or law that is essential to the outcome of a judicial proceeding".

In violation of United States Criminal Code, Title 18 Sec.1623 (False Pleading before a Court), Attorney Dietrich willfully, proceeded with the acts of fraudulent pleadings with this court, denying Petitioners were deposed at a deposition which occurred at the attorney's own law-office on 08-05-05. In conjunction to full knowledge deposition occurred, attorney Dietrech was counsel of record at the time deposition occurred declaring

the falsification material, as it undermines and contradict Petitioners argument on certiorari that Petitioners were deposed by Respondents. The conduct of attorney Dietrich, unethically violated the laws and criminal Codes of not only the state of Georgia but also Washington Washington DC, where the false pleading was filed. However, the most presumptuous, act of perjury is Respondents denial of deposition, even at the point Petitioners obtained and filed proof of deposition with this court, such acts is willful and fraudulent, as said deposition was ordered, payed for, and conducted by the attorneys own law-firm. Once again, re-produced and affixed hereto as Appendix 1.

The conduct of the attorney herein, is a profound violation of law and cannot be overlooked as Attorney Dietrich cynical disrespect for the integrity of law and the rules of this court must be accountable as the severity of the violation, aggravated the Criminal Codes and Statues of multiple states.

2. **FRAUD MAIL FRAUD KNOWINGLY FILING ILLIGAL EVIDENCE IN COURT RECORD IN AN EFFORT TO OBTAIN RELIEF AGAINST PETITIONERS DISHONESTLY**

In their written response to this court, Respondents State Farm's attorney's fraudulently conspired and engages in unlawful submission and filing of illegal court rulings/ decision with this court, (Respondents Appendix 1), was perfected by justices of the Second Appellate Division of Georgia, resulting from a bogus appeal case, that not only irrelevant to the issue on appeal but fraudulent. Respondents effort was clearly aimed at obtaining false relief against Petitioners with the influence of the Appellate Court of Georgia herein, as Respondents attorneys fully aware of the illegalities associated with the rulings but proceeded with the fraudulent filings regardless of its legal constriction. Attorney Dietrich is also aware that the laws of our land prohibited our courts from utilizing the administration of law to issue fraudulent court rulings . §O.C.G.A. 5-6-10 Georgia, mandated law, prohibits Respondent (Appendix 1), as the content of the order was not written on the legal stationary of the Appellate court. The official seal of the Appellate Court of Georgia, signature and verification by the Appellate Court was also deliberately omitted, clearly constituting judicial conspiracy, fraud, obstruction justice, violation of due process rights, and to confuse the issue before this court, which could ultimately, resulted in false relief in the interest of Respondents.

U.S.C Title 18, Part 1, Chap. 63, Sec 1346 and 1341 "Mail Fraud" clearly explains the conduct of attorney Dietrich, as he knowingly utilizes the United States Postal Services to willfully perfect the fraudulent acts, violating the very laws he avowed to uphold the integrity thereof, willfully, proceeded with the filings of fallacious submission of false evidence and pleading with this court, with clear intent to defraud, influence, and obtain relief in bad faith.

3. **CONSPIRING WITH LOWER COURT JUSTICES TO HINDER AND OBSTRUCT DUE PROCESS OF LAW VIOLATING THE CODE OF JUDICIAL ETHICS AND JUDICIAL OATHS AND THE WRONGFUL INFLICTICTION OF UNDUE BURDEN UPON PETITIONERS A PRO-SE LITTIGANTS**

The unlawful conduct of the Respondents herein was executed with the assistance and influence of justices of the Second Appellate devision of Georgia, in an act of judicial conspiracy which is prohibited by law. U.S.C. Title 18, Part 1, Chap. 73, §1515, defines obstruction of justice;

"In a official proceeding before a court, anyone who

knowingly makes false statement, intentionally conceals a material fact and thereby creates a false impression by such statement, knowingly submit in writing that is false or lacking authenticy is guilty of Obstructing justice, which constitutes criminal violation of law. Judicial conspiracy is an agreement between two or more persons, to commit an illegal act or to achieve a legal objective through illegal means." which is a violation of the cannons of ethics because it tends to use the prestige of the judges office to perfect such unethical achievements. Respondents (Appendix 1.) and the irrelevant appeal case A07A0119 produced by Respondents with their filings to this court, was perfected as a result of a fictitious and empty appeal case, under which no notice of appeal, remittitur, legal argument, enumeration of error, motions, or brief was filed. There was no merit under which any legal court or its justices could render a legal binding decision. As a matter of fact, the justices involved in the conspiracy perfected the bogus appeal case among many other violation also to obstruct and hinder this court from rendering a decision on the merit of certiorari currently before this court, thus, constituting serious violations and profound abuse of judicial authority in official capacity of

law Respondents State Farm, on the contrary, knowingly submitting and files the contents of said illegal documents with this court, with full awareness of its falsity.

Most erroneously, the justices involved in the conspiracy, joined with Respondents, denying deposition occurred, also denying material evidence was filed in court record by Petitioners despite court record reveals indisputable, such evidence were filed redundantly. The unethical conduct of the justices herein was deliberately aimed at interfering with due process, as the justices fully aware that the written comments of judges are favorable in our courts , placing Petitioner in an awkward position before this court to defend fraudulent allegations, not only those orchestrated and filed by Respondents State Farm, but Ministers of Justices whom duties were to uphold the integrity of the laws of the state of Georgia and not violate it.

In the written ruling of 06-29-07, (Respondents Exhibit 1) said justice substantially violated Petitioners civil rights, personally attacked Petitioners, in direct violation of the code of ethics, alleging extra judicial statements, fully aware that such comments seriously impaired the fairness of the of their action,

but displayed such biasness regardless and further utilizes the legal administration of justice as a staging ground to conduct fraudulent acts in the best interest of Respondents, a major Corporation.

Thus,Title 18, U.S.C Section 241, Conspiracy against Rights and Title 18 U.S.C Sec, 242, "Deprivation of Rights Under color of Law" stringently prohibits the conduct of the exhibitors herein, declaring such act a federal crime for anyone acting under color of law involved in such lootsome deprivation of litigants civil rights. When confronted with these serious issues, Respondents attorney accuses Petitioners in their written response response to this court of launching a vicious attack on the entire Georgia judicial system, once again, constitutes false pleading. Our prejudicial officers are held to the highest standards of integrity and must conduct judicial responsibilities in compliance with the ethical rules of law.

The Code of Judicial Conduct and judicial oats, strictly prohibits the conduct of the justices and attorney's involved, their unethical conduct substantially desecrated the law, therefore . Brings the judicial administration into disrepute. As a matter of law,Cannon 3 of the Code of Judicial Conduct, compels a Judge or Attorney to report unlawful conducts or any act which poses

a substantial question, to the state Bar, and or any appropriate division of law but in this case, the exhibitors conspired together to inflict tremendous acts of cruelty, violations of law and constitutional rights, hinder/ obstruct justice, before this court, which is an abomination to the rules of law.

In conclusion, Petitioners urged this court to intervene in this matter requiring Respondents to account for the serious violations herein, in order to be fair to all parties, it is imperative that a fact finding hearing be held, ordering Respondents to show cause before this court, in order to be reasonable sure that the integrity and the rules and laws of this court is preserved. The conduct of Respondents not only desecrated the laws of the state of Georgia, Washington DC, but also the criminal codes and statues, and cannot be entertained by any court of law and justice. In the case of National Hockey League v. Metropolitan Hockey Club, 427 U.S 639 (1976) false Pleading/ sham was prohibited, also, the law awards expenses to litigants when the opposing party acts in bad faith, as demonstrated in Roadway Express, Inc V. Piper 447, U.S 752 (1980) and Hall V. Cole 412 U.S 1,5 (1973). The unlawful conduct of Respondents herein, materially affect

the outcome of certiorari pending before this court as it the willful act of fraudulent pleading, deliberate concealment and production of fraudulent evidence, judicial conspiracy, etc. Petitioners moves this honorable court to intervene; due to the severity of this matter, convening a hearing, affording Petitioners and Respondents the rights to appear before this court and to enter into evidence documents and or proof that are in dispute, as it materially effects the outcome of a impartial decision from this court. At the conclusion of such inquiry, an order of disbarment and other sanctions should be entered against Respondents, holding accountability for the willful violation of the rules and laws of multiple states, and the Code of Judicial Conduct and oath of law.

Respectfully, submitted this 17 th day of August 2007.

Shellielle Nanan /for Petitioners

Mahabir and Shellielle Nanan
445 Staten Street
Jonesboro, GA 30238

(770) 210- 1017

PET. APP. 1

IN THE STATE COURT FOR THE COUNTY OF COBB

STATE OF GEORGIA

MAHABIR AND SHELLIELLE NANAN,
Plaintiffs and Defendants in Counter Claim,

Vs.
STATE FARM INSURANCE COMPANY,

CERTIFIED - COMPRESSED COPY

DEFENDANT AND PLAINTIFFS IN COUNTERCLAIN
and third – Party Plaintiff – in – Interpleader

CIVIL ACTION

FILE NO. 04- A- 56065
V.S
CARL BOSTIC d/b/a Affordable Home improvement, GOODMAN- GABLE- GOULD/ ADJUSTERS INTERNATIONAL AND REGIONS MORTGAGE, INC.,
Third – Party Defendants- in Interpleader.

DEPOSITION OF
SHELLIELLE NANAN

August 05, 2005
1: 50 pm

Swift, Currie, McGhee & Hiers

1355 Peachtree Street, N.E
Suite 300
Atlanta. Georgia

Kimberley Stewart, RPR, CCR- B
TIFFANY ATA ALLEY
Certify reporters

400 Premier Center Terrace, Suite 900 Atlanta, Georgia
770 343- 9696 800 808- 4958 770 343 8430 fax
www.tifanyalley.com

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TO BE RECOVERED

7-27-2007

(4)

NO. 06- 1693

IN THE

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MAHABIR NANAN

SHELLIELLE NANAN

Petitioners

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PETITIONERS REPLY BRIEF

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V.

STATE FARM FIRE & CASUALTY

Respondents

PETITIONERS REPLY BRIEF

COMES NOW, Petitioners and pursuant to Supreme court Rule 15 hereby files this response to Respondents opposition to Petitioners petition for a writ of certiorari, currently pending before this court and shows this honorable court the following facts and laws;

(1). Respondents State Farm failed to addressed the material important issues currently on certiorari by Petitioners. Instead of addressing the relevant issue, as required pursuant to Rule 15

of the Appellate Court, Respondents deliberately ignored the merits of the case, unlawfully introduced fresh allegations that are unsubstantiated and can neither be supported by fact or law. As a matter of fact, Respondents entire argument is vague, ambiguous no reasonable Petitioner or court can lawfully frame a proper response or meritorious finding. For example, on the cover page of Respondents opposition brief, the petition was captioned 06-1693 which represents the issue on appeal but their entire argument failed to address the issues consistent with said petition, instead, Respondents introduced new allegations, citations, and re-produced document captioned that represents a completely different appeal case **AO7A0119**, which is not the issue on certiorari. Furthermore, because AO7AO119 is irrelevant to this matter, legal argument on an a divergent, illegitimate, case is contrary to the rules of this court and not ripe for argument. Argument pertaining to this issue was taken with the Supreme court of Georgia as it is a separate issue, requesting dismissal of the un-lawful matter, therefore, as Respondents willfully violated Supreme court Rules 15 and 24, the law requires this court to strike or disregard Respondents entire petition as it violated the rules of this court. In all legalities, Respondents never respond to Petitioners petition.

(2). Supreme Court Rules 15 requires a Respondent to accurately plead in their opposition, brief, in plain terms, legitimate factual reasons why this court should deny certiorari, and clearly address any perceived misstatement of fact or law in the petition that bear on what issue properly would be before the court if certiorari was granted. Once again, Respondents did not abide by these rules, instead, Respondent ill-definely alleged unjustified allegation that Petitioners violated Appellate Court Rule 24 (6). An allegation Petitioners affirmatively denied. Respondent further informed the court in their jurisdiction statement contained on page 1 of their brief "This court lacks jurisdiction over the matter because it is not a final judgment." Petitioners affirmatively denied such assertions and would like to point out the fact that in Respondents own written response to this court, they have vaguely admitted to this court

(a) Petitioners law-suit was dismissed from the trial court and that an appeal was initiated with the Appellate court of Georgia.
(b) They have also admitted to this court on page 3 of their brief, Court of Appeals dismissed the original case **A06A0916** which is the subject matter of this appeal. An act Petitioners long argued violated § O.C.G.A.5-6-48 (d) and §O.C.G.A 5-6-30, as no pending case shall dismissed from Appellate court

missing a ruling on it's merit, especially when said case was pending before the court for a duration of 9 months. (c) Respondents further admitted to this court that a second appeal case containing an isolated appeal matter was perfected by the clerk of the appellate court herein, which did not represents the legal action of Petitioners, and as a result, Petitioners appealed the dismissal of the original appeal case with the Supreme Court of Georgia on certiorari, which was the final decision of the lower court. Respondents also did not dispute the fact that Petitioners petition before this court was perfected within 90 days after the issuance of Supreme court decision. After such divulging revelation, based on the written admissions of Respondents, any dispute as to jurisdiction of this court would deem blur and inconsistent . As a matter of law, Respondents citations of unrelated cases Pierce County Wash.V. Guillen , 537 U.S 129, 140, 123, S. Ct 720 (2003); Jefferson V. City of Tarrant, Ala., 522, U.S 75, 81, 118, S. Ct. 481 (1997) has no statutory bearings on the merits of this matter and cannot be considered legitimate by this court. Consequentially, as the Respondents continued to violate the rules and laws of this court and failed to frame statutory,legitimate, reasons why certiorari is unworthy, heretofore, any future argument from Respondents would be

barred by judicial estoppal. With all due respect, doctrine prevents a Respondent from adopting an inconsistent position from that which is taken to its advantage earlier to which was their own failure that created the controversy to continue such contrariness. As a matter of law, there are no current standing issue or objections before this court as to why certiorari should be denied.

3. One of the fundamental issue on certiorari before this court is the fact Respondents counsel violated multiple U.S criminal codes by deposing Petitioners at a court ordered deposition, while filing fraudulent pleadings with the lower courts, falsely denying Petitioners were deposed at their law office on 08-5-05, swearing falsely under oath, obstructing justice, tampering with material evidence, while utilizing the United States Postal Service to convey the fraudulent acts, also, obtaining relief against Petitioners under fraudulent pretenses. The law provides that a Petitioner or Respondent whom repeatedly failed to dispute serious material allegations under any circumstance, constitutes admissions on the part of the party whom failed to dispute. Not only have Respondents failed at the lower courts level, once again, they failed to frame any response to these serious allegations currently before this court. Instead of

responding to the allegations, Respondents violated Supreme Court Rules 8 and 8 (2) by continued to weave their web of falsity and now committed the unethical acts of false pleading, obstruction of justice, fraud, and mail fraud, before this court, a serious material violations of law, constituting abominable sins. Respondents unethical conduct has once again encompassed another valid reason as to why Respondents argument should be stricken from this court record and an inquiry regarding this issue be initiated by this court as this court has the jurisdiction under the governing Rules 8 to convene an hearing into the matter and apply disbarment and or any disciplinary actions deemed appropriate by the court.

LEGAL ARGUMENT BASED ON ILLIGITIMATE APPEAL CASE IS UNLAWFUL ESPECIALLY WHEN THE ORDER ON ITS FACE INVALID AND VIOLATES THE CODE OF JUDICIAL CONDUCT.

In addition to the above- mentioned request requiring Respondents entire argument be stricken from this courts record for willful violations of court rules and laws, Petitioners will clearly point out other reasons why Respondents appendix 1 cannot be considered by this court as a legal binding court order. (a) The alleged court decision is illegitimate as it was not perfected in compliance with Appellate Court Rules. (b)

Mandated laws of the state of Georgia and § O.C.G.A. 5-6-10 requires all court order/ decision from Court of Appeals to be consistent, bearing the legitimate seal of the court, signature, and verification of the clerk of the Appellate Court. (c) The alleged court order does not contained such statutory identities and therefore cannot be authenticated. As a a matter of law, any court order/ decision short coming of the rules of the state of Georgia and the Appellate court must be considered legally deficient, unlawful, null and void, and cannot be honored by any court of law and justice. In addition to these violations,the alleged court decision was entered on falsity and deception, in the presence of an empty case record in which no notice of appeal, brief, remittitur, or legal argument was filed. In term, there was no statutory merit under which any lawful court could perfect a fair and binding decision.

Meticulous review by this court will reveal clear evidence of biasedness, prejudice, discrimination fraud, at the hands of Ministers of Justices, as false allegations aimed as direct attack upon Petitioners despite the fact the allegations cannot be substantiated by court record, and although the justices initiated such unlawful position of re-inventing the facts, and laws of the state, they failed to address the issues brought on appeal by Petitioners. Court records will reveal indisputable

Petitioners never initiate or legally represent any appeal matter with the Court of Appeals captioned as **AO7A0119.**

The most grievous violations on the part of Ministers of justices of the **Second Appellate Devision of Georgia** is their involvement in direct conspiracy with Respondent State Farm, affirmatively denying deposition was conducted by counsel for State Farm and also denying Petitioners filed said proof with the court, despite the fact Petitioners maintained legal proof to substantiate such filings.

The code of judicial conduct Cannon 3 prohibits judges from commenting on cases when the justices knows that such comments is prejudicial and would materially affect the case, and to also refrain from demonstrating acts of biasness, prejudice, discrimination towards litigants, and further cautions "Judges who violates the Code of Processional Conduct violates the law and subject the administration to disrepute.

Likewise, attorneys has an affirmative obligation to accurately state the facts at all times, failure to so may result in contempt of court and or disbarment.

PETITIONERS RE-AFFIRMED THE IMPORTANCE THAT A WRIT OF CERTIORARI BE GRANTED IN THIS MATTER.

Petitioners re-affirmed the importance that a writ of certiorari be

granted in this matter to review the erroneous and un-constitutional decisions of the lower courts herein. Because Respondents failed significantly to address the material important issues on appeal, such refusal leave standing substantial material question that can

only be resolved through certiorari. However, If certiorari is denied, the constitutional laws and due process rights of litigants to appeal and to obtain relief through judicial process would be profoundly violated. The Georgia Constitution Art.1,Sub1, Para. V11, provides " No person shall be deprived the rights to prosecute or defend in person that persons own cause in any of the courts in this state. If the laws and constitution of our great land is disregarded it would sent the incorrect message to major corporations, high profile attorney's and corrupt judges, that it is safe to violate litigants civil rights because there are laws in place that will protect the un-just, while expose the righteous to indignity, disappointments, discrimination, judicial abuses in official capacities, and lawlessness.

The constitution of the United States provides "No person shall deny equal protection of the law and the rights to due process of law". It is fundamentally important that this court manifest justice in order to protect litigants rights and interest before the

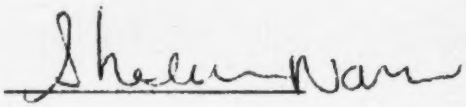
court.

Since this is Petitioners final recourse for relief and justice, should this court deny the Petition, there would be no other alternative and Respondents would prevail by dishonest means, as they did at the lower courts level. Correctively, this court has the jurisdiction to apply the "Golden Rules" as mandated by the laws and constitution of the United States. " Legislative acts in violation of the constitution of Georgia and the United State are void and the judiciary shall so declare them."; "After they take effect, the laws of the land are obligatory upon all the inhabitants thereof. Ignorance of the law excuses no one

In conclusion, the facts must be abundantly clear, the only legitimate issue currently standing before this court is a ruling on lower court **AO6A0916,** any other issues are irrelevant.

Respondents attempted to confused this court by producing appendix and other unlawful issues which is prohibited by the laws of our courts, not including Respondents willful act to deter this court from issuing a fair ruling on the merit of the case. This court is a court of law and justice and must hold Respondents accountable for their un-governable acts. Petitioners once again moves this honorable court to enter an order granting certiorari, which is the solely statutory reasonable reasonable and statutory solution in this matter.

Respectfully, submitted this 27th day of July 2007.



Shellielle Nanan

Mahabir Nanan
445 Staten street
Jonesboro, Ga. 30238
(770) 210-1017